

College Park Legislative Meltdown

College Park government is in 'crisis,' attorney says

Police remove the public from Friday's City Council meeting.

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College Park City Council censured its mayor Friday during another chaotic meeting that is raising questions about possible violations of the public's constitutional rights.

The south Fulton city, which is the subject of at least 20 complaints to the Georgia Attorney General's office this year, could be liable for monetary damages for removing the public from the meeting, according to a spokesperson for the Georgia First Amendment Foundation.

Residents packed city council chambers Friday evening for a special-called meeting that started with a censure of Mayor Bianca Motley Broom.

At the direction of City Manager Emmanuel Adediran, police removed the public from the room as residents stood in applause as someone shouted out a statement in support of the mayor.

Two residents were placed in handcuffs and later released after being issued citations.

After the room was cleared, city attorney Winston Denmark attempted to end the meeting due to the disorder that he described as "anarchy."

"We've reached a crisis in College Park," said Denmark, who is frequently at odds with the mayor. "If we continue this meeting, it's going to escalate ... and at some point, sanity has to prevail."

The meeting continued but it might have been illegal, according to Richard T. Griffiths, a spokesman for the First Amendment Foundation.

"What transpired there in the removal of all the citizens from the meeting likely was illegal and unconstitutional," Griffiths said.

Griffiths said state law on disruption of public meetings by members of the public speaking out or applauding has been struck down by the Georgia Supreme Court, in 2006.

"The city could be liable for substantive damages especially from anybody whom the state or the city could not prove was applauding or making any noise in that session when that room was cleared," Griffiths said. "My view is this is an outrageous abuse, an illegal act by the city and one that likely exposes the city to substantial financial penalties in a civil action."

Resident Marcia Knox was seated in the front row and said she was shocked by the city's action in removing the public from the council meeting.



The south Fulton city of College Park, which is the subject of at least 20 complaints to the Georgia Attorney General's office this year, could be liable for monetary damages for removing the public from the special-called meeting, according to a spokesperson for the Georgia First Amendment Foundation. ADRIANNE MURCHISON/AJC

"I've gone to many meetings there and it was shocking to have the city manager (clear) the entire room," she said. "I don't believe there was anything in particular that took place aside from the obvious support that the mayor has."

Dom Kelly, chair of the political action committee United College Park, said he believes the City Council wants to silence all voices.

"It's now gone from the council trying to silence the voice of the mayor to trying to silence the voice of the people of College Park," Kelly said. "They made that clear."

Friday was College Park's second consecutive meeting in which the validity of votes taken is uncertain, and the City Council took extreme measures to prevent Motley Broom from speaking.

Last January, council members approved a new ordinance that limits the mayor's ability to participate in discussions on agenda items. Motley Broom has a pending federal lawsuit against the city alleging that her First Amendment rights have been violated. The mayor has made comments and asked questions on items during meetings when the council members were not engaged in debate on the particular issue. That changed during the Aug. 5 meeting when council sought to prevent her from talking.

Friday's resolution for censure addressed that meeting and described the mayor as

"persistently displaying petulance, belligerence and immaturity."

Motley Broom was again unable to speak freely as agenda items were addressed. The contentiousness in the meeting appeared to show levels of disrespect and misogyny.

Councilman Roderick Gay suggested silencing the mayor's mic and compared the ordinance in place against the mayor to a June 2023 council meeting in which he was denied an opportunity to make a second comment on an agenda item.

"You bullied me," Gay said. "I couldn't even go home to my children ... They said: 'How you let a lady talk to you like that?'"

Councilman Joe Carn suggested the mayor write out her questions for the council members to address near the conclusion of the meeting.

College Park issued news statements from City Hall and the police department on Sunday and Monday saying officials plan to continue such actions as those on Friday by amending city policy to address any "breaches of order at public meetings" by residents or elected officials.

"That person will be subject to immediate sanctions, up to and including removal from public meetings," the city statement said.

The police statement from Chief Connie Rogers added that arrests could take place as officials review video footage from Friday's meeting.



Watch: College Park City Council votes to censure mayor in heated meeting

fox5atlanta.com

The 8/9/2024 Friday night Special Called Meeting was a disaster chronicled by the AJC (8/14/2024 Pg A4) - far left, and by FOX5 (8/9/2024) - left. Click on the images to see their news coverage.

There are questions from some as to whether items approved while the public was excluded from the meeting are valid.

One councilwoman did not attend the meeting. Three

councilpersons does constitute a

quorum to conduct business, however. And one councilperson abstaining is interpreted as a vote in favor of the issue, so an abstention does not break the quorum. However, for one vote, the attending councilwoman stated specifically that she was abstaining and not voting. Does that invalidate the approval of that item, since only two councilpersons voting does NOT constitute a quorum? A question for the City Attorney...

Furthermore, during the meeting, the Council adopted a working agreement that no questions would be asked during the discussion of an item, but all questions would be submitted to the City Manager, to be answered the following week, despite the item already having been voted on in this meeting. **So what if the answer to a question would have caused a vote to go differently? And we know from this and other recent meetings, that the agenda packets often do not include all information needed to make an informed decision.**

Finally, it is my (AWC's) personal opinion that one of the duties of the Mayor expressed by the City Charter is to conduct the meeting, presumably to ensure that it is carried out in a logical, sensible way. While you can argue whether she should participate in the discussion of the merits of a particular item, one would think that she should be able to ask questions to address inadequate/incomplete/inconsistent information for an agenda item. But the 4 councilpersons are preventing her from doing that.